

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter that Applicant regards as the invention.

Reconsideration of the subject patent application in view of the present remarks is respectfully requested.

Claims 1-4 are amended.

New claims 5 and 6 are added.

Claim Rejections - 35 USC § 112

Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-4 have been amended to comply with 35 U.S.C. 112, second paragraph. Thus, the rejection as it applied to claims 1-4 is moot.

Claim Objection

Claim 2 is objected to because of the informalities. Claim 2 has been amended to correct the informalities. Thus, the objection as it applied to claim 2 is moot.

Specification

The abstract of the disclosure is objected because paragraph 0052, line 4 recites 1A which should be 10A. The abstract of the disclosure has been amended to make the above correction. Thus, the objection as it applied to the abstract is moot.

Claim Rejections - 35 USC § 102

Claims 1-4 are rejected under 35 U.S.C. 102 (e) as being unpatentable by Makinouchi et al. (US Patent 7,277,115; hereinafter “Makinouchi”).

Regarding the amended claim 1, Makinouchi does not disclose a data matching unit which matches data for the communication terminal and data for the associated communication terminal based on an analysis result in the input data analysis unit, and outputs matched data based on a matching result. The Office action states in rejecting claim 2 that Makinouchi discloses the above data matching unit, as citing the element 32 in Fig. 4. Applicant respectfully disagrees. The element 32 in Makinouchi is a synchronization unit 32 which causes the image data to synchronize with the voice data 68 (Makinouchi; column 7, lines 61-63). A synchronization unit only synchronizes the voice and image data in order to display an image that matches a voice (Makinouchi; column 4, lines 53-57). On the other hand, the data matching unit of the present invention matches data for the communication terminal and data for the associated communication terminal. As described in the specification, “matching” means prioritizing data based on whether one or both of the data of the communication terminal and the data of the associated communication terminal include sole action data or mutual action data. There is no disclosure in Makinouchi that any unit performs such a matching procedure. Therefore, since every limitation of claim 1 is not taught by the reference, claim 1 is not fully

anticipated by Makinouchi. Thus, withdrawal of the rejection as it applies to claim 1 is respectfully requested.

Claims 2-3 which are dependent from claim 1 should also be allowable for at least the same reason.

Regarding the amended claim 4, Makinouchi does not disclose the step of matching data for the communication terminal with data for the associated communication terminal based on an analysis result in the analyzing process. As described above regarding the amended claim 1, Makinouchi merely discloses synchronizing the image data with the voice data which is completely different from the matching step of the amended claim 4. There is no disclosure in Makinouchi that any step performs such a matching procedure. Therefore, since every limitation of claim 4 is not taught by the reference, claim 1 is not fully anticipated by Makinouchi. Thus, withdrawal of the rejection as it applies to claim 4 is respectfully requested.

Regarding new claim 5, Makinouchi does not disclose that the data matching unit matches the data for the communication terminal with the data for the associated communication terminal based on whether one or both of the data for the communication terminal and the data for the associated communication terminal includes sole action data or mutual action data.

Regarding new claim 6, Makinouchi does not disclose that when one or both of the data for the communication terminal and the data for the associated communication terminal contains mutual action data, the data matching unit changes one of the data for the communication terminal and the data for the associated communication terminal in response to the mutual action data of the other of the data for the communication terminal and the data for the associated communication terminal.

Appl. No. 10/596,855
Amdt. Dated: July 17, 2008
Reply to Office action of April 17, 2008

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. NGB 40790.

Respectfully submitted,

PEARNE & GORDON LLP

By: 
Nobuhiko Sukenaga, Reg. No. 39446

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

July 17, 2008